IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 8377 of 1995

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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MUKESH M LADVA - Petitioner(s)
Versus
DIRECTOR OF SOCIAL WELFARE DEPTT & 2 - Respondent(s)

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Appearance :
MS SHILPA R SHAH for Petitioner(s) : 1,
MR AY KOGJE AGP for Respondents.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 21/11/2006

ORAL JUDGMENT

1. Ms.Shilpa R. Shah, learned counsel for the petitioner and Mr.AY Kogje, learned Assistant Government Pleader for respondents - State.

2. The petitioner claiming himself to be Hindu Garoda, made an application to the authority that by some mistake, he has been shown as Hindu Brahmin in his School Leaving Certificate. The said mistake must be corrected.

3. It appears that the petition was mainly filed for seeking certain benefits available to Hindu Garoda under the provisions of law. When the petition was filed in the year 1995, the petitioner was studying in M.Com, but by this time, he must have passed out his examinations. In a case like present where the petitioner submits that he belongs to a particular class, caste or community, he is required to establish his rights by leading cogent evidence and not by making assertions only. The petitioner if is still interested in getting his caste decided, he would be free to go to the Civil Court. The petition is accordingly disposed of.

(R.S. GARG,J.)

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